

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CREATIVE PHOTOGRAPHERS, INC.,	:	CIVIL ACTION
	:	NO. 20-2557
Plaintiff	:	
v.	:	
	:	
GRIND MODE MEDIA, LLC,	:	
	:	
Defendant	:	

**ORDER**

**AND NOW**, this **13th** day of **January, 2021**, upon consideration of Plaintiff's Petition to Reinstate Default, it is hereby **ORDERED** that the petition (ECF No. 18) is **DENIED without prejudice**. It is **FURTHER ORDERED** that, by **January 25, 2021**, Plaintiff shall petition the Court for a special order directing the method of service.<sup>1</sup>

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<sup>1</sup> According to Plaintiff's petition, in-person service of process is not possible in this action because Defendant refuses to arrange for such service.

Rule 4(e) (1) of the Federal Rules of Civil Procedure permits service by "following state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located or where service is made."

Where in-person service is not possible, Pennsylvania Rule of Civil Procedure 430(a) permits a plaintiff to "move the court for a special order directing the method of service." Such a motion must be "accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made." *Id.* "If a plaintiff has made a good faith effort to locate and serve a defendant, courts will allow alternative methods of service to the extent 'the plaintiff's proposed alternate methods of service [are] reasonably calculated to provide the defendant with notice of the proceedings against him.'" *Meregildo v. Miller*, No. 2:20-CV-2679, 2020 WL 7123314, at \*2 (E.D. Pa. Dec. 4, 2020) (quoting *Nunez v. Flowers*, No. 19-cv-02780, 2020 WL 1164792, at \*2 (E.D. Pa. Mar. 11, 2020)).

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.

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